



Clean Land, Safe Water, Healthy Lives



June 25, 2013

Maryland Department of the Environment
Sediment, Stormwater and Dam Safety Program
c/o Mr. Brian Clevenger
1800 Washington Boulevard
Baltimore, MD 21230



Re: Comments on Draft MS4 Permit No. 11-DP-3314 / MD0068284 for Prince George's County, Maryland

Dear Mr. Clevenger:

We appreciate the opportunity to review and comment on the Draft NPDES Permit No. **11-DP-3314 MD0068284** for the municipal separate storm sewer system owned and operated by Prince George's County. **This permit is an improvement over past efforts, however, there is still opportunity for strengthening the effectiveness of this permit.**

The Alice Ferguson Foundation's mission is to connect people to the natural world, sustainable agricultural practices and the cultural heritage of their local watershed through education, stewardship and advocacy. As a part of our work, we coordinate the Trash Free Potomac Watershed Initiative, a program which challenges regional stakeholders to work collaboratively to reduce litter and waste through Policy, Enforcement, Market-Based Incentives, Public Education, and Regulation.

Through a multi-partner effort across three jurisdictions, the Anacostia was listed as impaired and then subsequently a Trash TMDL was passed in fall of 2010. Two and half years later, the Trash TMDL Implementation plan for Prince George's County is still in development and it is difficult to know if it will be sufficient in meeting the benchmarks of the TMDL and more importantly, result in trash free waters. This MS4 permit will be a step forward for the County and getting answers to these questions. With that said, there are several areas of the permit that can be further improved to more adequately and completely address trash and litter.

We know that litter is a solvable problem, but it will take a collaborative and integrated approach, and that includes communication between the County and stakeholders. *Part IV Sec.D.4. Management Programs for Trash and Litter*, outlines a strong plan for developing strategies for trash and litter, and then sharing this information with the public, however the Monitoring plan for this strategy could be improved.

2001 Bryan Point Road
Accokeek, Maryland 20607
Phone 301.292.5665
Fax 301.292.1070

1255 23rd Street NW, Suite 275
Washington, DC 20036
Phone 202.292.8203
Fax 202.292.8206

www.fergusonfoundation.org

Monitoring under this section refers to 'MDE's TMDL analysis or an equivalent and comparable County trash reduction analysis'. If the monitoring plan for the Trash TMDL, mirrors that of the other TMDLs, (one stream which isn't even in the Anacostia Watershed) it will not be sufficient to properly evaluate the effectiveness of this slightly unusual TMDL. With only three Trash TMDLs in the country, we know it is challenging to determine the Waste Load Allocation(WLA). With little guidance to lean on when developing the TMDL, it remains critical that sufficient monitoring be conducted and described in this permit to ensure that benchmarks are met AND that this also results in a river that is no longer impaired with trash and debris. If the river continues to be impaired with trash even after WLAs are met then a revised TMDL must be developed. The spirit of litter solutions in the region has always been collaborative and we encourage MDE to embrace this spirit by working with the Prince George's County, as well as the District of Columbia and Montgomery County to develop monitoring protocols that are efficient and effective in determining the success of Trash TMDL implementation.

This same section, *Part IV Sec.D.4.*, of the permit leaves the options for trash reduction to be determined by the still unknown TMDL Implementation Plans. Robust public participation will be critical to ensuring that the Implementation Plan has an appropriate balance of source reduction and immediate trash removal strategies. Public participation in the Implementation Plan is also critical because neighboring jurisdictions and other stakeholders are already working on implementation and are ready and willing to continue collaboration for increased efficiency.

There is one component of implementation that should be further detailed in this permit-stormwater control mechanisms. The most ideal stormwater control techniques will be ones that not only capture stormwater effectively, but also trash and debris. Low-impact development (LID) has proven to be effective at this. These methods also have the added benefit of creating healthier communities, improving the quality of life for residents with local jobs, green spaces, reduced flooding, and improved air quality. There is additional evidence that shows that these LID efforts could have secondary impacts on littering, as community beautification has been shown to reduce littering and illegal dumping.

Overall, this permit is a step forward in promoting improved trash reduction strategies. With improved monitoring plans, increased focus on effective and green stormwater controls, and continued stakeholder involvement this permit has the potential to be a highly effective tool for litter solutions.

Sincerely,



Lori Arguelles